



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, MARCH 16, 2005

9:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **March 16, 2005**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR04-125. Tree Removal Permit** request to remove one Redwood tree (132" in circumference) on a 0.25 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 2798 Agua Vista Drive (Diamond Robert S And Melinda B, Owner). Council District 4. CEQA: Exempt.
- b. **SF04-025. Single Family House Permit** to construct approximately 1,664 square-foot additions to an existing 1,866 square-foot 1-story, single-family residence on a 0.15 gross acre site. in the R-1-8(PD) Planned Development Zoning District, located at southeast corner of Vista Loop and Marla Court (6062 MARLA CT) (Kaderi Babak And Sepideh S, Owner). Council District 9. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **SF04-042. Single-family House Permit** to allow the demolition of an existing single-family house and the construction of a new 3,728 square-foot single-family house on a 6,490 square-foot lot in the R-1-8 Zoning District (resulting in a Floor Area Ratio of 0.51) located at/on the 1062 Cherry Avenue (Martin David H And Diane D Trustee, Owner). Council District 6. SNI: None. CEQA: Exempt. Continued from 3/9/05.

- b. **PT04-112. Planned Tentative Condominium Map Permit** to reconfigure 2 parcels into 15 lots for 14 single-family attached residences on a 0.40 gross acre site in the A(PD) Planned Development Zoning District, located at the south side of Balbach Street approximately 200 feet west of South Market Street (Hard Rock Concrete, Inc Desmond Nolan, Owner). Council District 3. SNI: Market/Almaden. CEQA: Use of Downtown Strategy Plan Final SEIR.
- c. **PDA80-054-31. Planned Development Permit Amendment** request to allow for the construction of a single-family detached residence on a 0.49 gross acre site in the R-1-2(PD) Planned Development Zoning District, located on the north side of Geist Court, approximately 120 feet east of Sweigert Road (1644 GEIST CT) (Long Ju-Lin And Tsao Yuchi Et Al, Owner). Council District 4. SNI: None. CEQA: Addendum to an EIR.
- d. The projects being considered are located on the southwest corner of Story Road and Clayton Road (1117 CLAYTON RD), in the A(PD) Planned Development Zoning District (BRADDOCK & LOGAN GRP III LP, Owner; Charles W. Davidson Co. Mr Ray Bold, Developer). Council District 5. SNI: None. CEQA: Mitigated Negative Declaration.
1. **PD04-095. Planned Development Permit** to construct 15 single-family detached residences on a 2.18 gross acres site.
2. **PT04-128. Planned Tentative Map Permit** to subdivide 2 parcels into 16 lots for single-family detached residential uses on a 2.18 gross acres site.
- e. **H04-046. Site Development Permit** request to construct a 7700 square feet retail commercial building on a 0.34 gross acres site in the CP Pedestrian Commercial Zoning District, located on the east side of White Road approximately 160 feet northerly of Alum Rock Avenue (18 N WHITE RD) (Toledo Lourdes C Trustee, Anthony Caruso Construction Anthony Caruso, Lawrence Company Llc, Owner). Council District 5. SNI: None. CEQA: Exempt.
- f. **H05-003. Site Development Permit** to allow conversion of a non-conforming commercial structure to a single-family detached residence and to allow reduction in required parking to provide a one-car garage on a 0.12 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the west side of Stockton Avenue approximately 550 feet southerly of West Taylor Street (641 STOCKTON AV) (Wisinski Grzegorz, Owner). Council District 6. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for March 16, 2005. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

March 9, 2005

PUBLIC HEARINGS

1. DEFERRALS

a. ABC04-014 DEFERRED TO 3/23/05

2. CONSENT CALENDAR

a.	TR05-001	APPROVED
b.	TR04-072	APPROVED
c.	H04-043	APPROVED
d1.	PD04-088	APPROVED
d2.	PT04-116	APPROVED
e.	SP04-072	APPROVED
f.	SP04-054	APPROVED
g.	H04-047	APPROVED
h.	TR04-102	APPROVED

3. PUBLIC HEARING

a. SF04-042 CONTINUED TO 3/16/05